

**Merchant & Gould**

An Intellectual Property Law Firm

**RECEIVED  
CENTRAL FAX CENTER**

JAN 16 2004

**OFFICIAL**3200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota  
55402-2215 USA  
TEL 612.332.5300  
FAX 612.332.9081  
www.merchant-gould.com

A Professional Corporation

Fax Transmission | January 16, 2004TO: Commissioner for Patents  
Attn: Examiner Pierre E. Elisca  
Patent Examining Corps  
Facsimile Center  
Alexandria, VA 22313.1450

FROM: Robert A. Kalinsky

OUR REF: 10731.20USC1  
TELEPHONE: 612.336.4771USPTO Centralized Facsimile No.: 1-703-872-9306Total pages, including cover letter: 12

If you do NOT receive all of the pages, please telephone us at 612.336.4771, or fax us at 612.332.9081.

Title of Documents Transmitted: 1. Communication regarding the Response filed November 3, 2003.  
2. Courtesy copy of the entire filing associated with the Response of November 3, 2003.Applicant:  
Serial No.:  
Filed:  
Group Art Unit:Gary Scott Stevens  
09/620,459  
July 20, 2000  
3621Our Ref. No.: 10731.20USC1  
Confirmation No.: 3803  
Customer No.: 23552

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Robert A. Kalinsky  
Name: Robert A. Kalinsky  
Reg. No.: 50,471  
RAK:pll

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Patricia L. Larrimore  
Signature (Patricia L. Larrimore)January 16, 2004  
Date

**OFFICIAL**

S/N 09/620,459

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Gary Scott Stevens	Examiner:	Pierre E. Elisca
Serial No.:	09/620,459	Group Art Unit:	3621
Filed:	July 20, 2000	Docket No.:	10731.20USC1
Customer No.:	23552	Confirmation No.:	3803
Title:	Apparatus and Method for Remote Data Recovery		

**RECEIVED  
CENTRAL FAX CENTER**

JAN 16 2004

CERTIFICATE UNDER 37 CFR 1.6(d):

The undersigned hereby certifies that this correspondence is being transmitted via facsimile to: Commissioner for Patents, Attention: Examiner Pierre E. Elisca, P.O. Box 1450, Alexandria, VA 22313-1450 on January 16, 2004.

By: *Patricia L. Larrimore*

Name: Patricia L. Larrimore

COMMUNICATION REGARDING RESPONSE FILED NOVEMBER 3, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

During a telephone conversation with the Examiner on January 15, 2004, the Examiner indicated that he had not yet received the Response filed on November 3, 2003. The Examiner requested that we re-transmit an entire copy of the previously-filed Response. Attached hereto is another courtesy copy of the entire filing associated with the Response of November 3, 2003, including proof of transmission and the Auto-Reply from the Patent Office.

Entry of the Response is respectfully requested. Please contact the undersigned attorney at 612.336.4771 with any questions regarding this application.

Respectfully submitted,  
MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: Jan. 16, 2004

*Robert A. Kalksky*  
Name: Robert A. Kalksky  
Reg. No.: 50,471  
RAK:pll

TO:Auto-reply fax to 6123329081 COMPANY:

## Auto-Reply Facsimile Transmission

COPY



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

TO:

Fax Sender at 6123329081

Fax Information

Date Received:

11/3/03 3:52:47 PM [Eastern Standard Time]

Total Pages:

8 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page  
=====>

NOV-03-01	16:13	FROM-Merchant & Gould	6123329081	T-860	P.003/003	F-076
-----------	-------	-----------------------	------------	-------	-----------	-------

**Merchant & Gould**  
An Intellectual Property Law Firm

3200 IIS Center  
100 South Maple Street  
Washington, DC 20004  
202-332-3300  
Fax 202-332-3300  
www.merchantandgould.com  
A Professional Corporation

**Fax Transmission | November 3, 2003**

TO: Commissioner for Patents  
Attn: Examiner, Patricia L. Lammore  
Patent Examining Corps  
Facsimile Center  
Washington, D.C. 20231

FROM: Robert A. Kalinsky

OUR REF: 10731.20USC1  
TELEPHONE: 612.336.4771

Total pages, including cover letter: 8

PTO FAX NUMBER: 1-800-872-9326

If you do NOT receive all of the pages, please telephone us at 612.336.4771, or fax us at 612.332.5081.

Title of Documents Transmitted: 1. Petition for Extension of Time.  
2. Responses to Office Action mailed May 1, 2003.

Applicant: Gary Scott Stevens  
Serial No.: 09/610,459  
Filed: July 29, 2000  
Group Art Unit: 3621  
Confirmation No.: 3803  
Our Ref. No.: 10731.20USC1  
Customer No.: 23552

Please charge our Deposit Account No. 13-2725 in the amount of \$950.00 to cover the required extension fee for a large entity.

By: Robert A. Kalinsky  
Name: Robert A. Kalinsky  
Reg. No.: 50,471  
RAK:pl

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Patricia L. Lammore  
Signature (Patricia L. Lammore)

November 3, 2003  
Date

Received from 6123329081 at 11/03 3:52:47 PM [Eastern Standard Time]

## MEMORY TRANSMISSION REPORT

PAGE : 001  
 TIME : NOV-03 15:42  
 TEL NUMBER1: 6123329081  
 TEL NUMBER2: 6123329081  
 NAME : Merchant & Gould

COPY

FILE NUMBER : 076  
 DATE : NOV-03 15:39  
 TO : 917038729326  
 DOCUMENT PAGES : 008  
 START TIME : NOV-03 15:39  
 END TIME : NOV-03 15:42  
 SENT PAGES : 008  
 STATUS : OK  
 FILE NUMBER : 076

\*\*\* SUCCESSFUL TX NOTICE \*\*\*

### Merchant & Gould

An Intellectual Property Law Firm

3200 IDS Center  
 90 South Eighth Street  
 Minneapolis, Minnesota  
 55402-4213 USA  
 TEL 612.332.5300  
 FAX 612.332.9081  
 www.merchant-gould.com  
 A Professional Corporation

Fax Transmission | November 3, 2003

TO: Commissioner for Patents  
 Attn: Examiner Pierre E. Elie  
 Patent Examining Corps  
 Facsimile Center  
 Washington, D.C. 20231

FROM: Robert A. Kalinsky

OUR REF: 10731.20USC1  
 TELEPHONE: 612.336.4771

Total pages, including cover letter: 8

PTO FAX NUMBER: 1-703-872-9326

If you do NOT receive all of the pages, please telephone us at 612.336.4771, or fax us at 612.332.9081.

Title of Documents Transmitted: 1. Petition for Extension of Time.  
 2. Response to Office Action mailed May 1, 2003.

Applicant: Gary Scott Stevens  
 Serial No.: 09/620,439  
 Filed: July 20, 2000  
 Group Art Unit: 3621  
 Classification No.: 3803  
 Our Ref. No.: 10731.20USC1  
 Customer No.: 23552

Please charge our Deposit Account No. 13-2725 in the amount of \$950.00 to cover the required extension fee for a large entity.

By: Robert A. Kalinsky  
 Name: Robert A. Kalinsky  
 Reg. No.: 30,471  
 RAK:pl

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Patricia L. Larrimore  
 Signature (Patricia L. Larrimore)

November 3, 2003  
 Date

**Merchant & Gould**

An Intellectual Property Law Firm

3200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota  
55402-2215 USA  
TEL 612.332.5300  
FAX 612.332.9081  
www.merchant-gould.com**RECEIVED**  
**CENTRAL FAX CENTER**

A Professional Corporation

**Fax Transmission**

November 3, 2003

JAN 16 2004

TO: Commissioner for Patents  
Attn: Examiner Pierre E. Elisca  
Patent Examining Corps  
Facsimile Center  
Washington, D.C. 20231

FROM: Robert A. Kalinsky

OUR REF: 10731.20USC1  
TELEPHONE: 612.336.4771**OFFICIAL**  
**COPY**Total pages, including cover letter: 8PTO FAX NUMBER: 1-703-872-9326

If you do NOT receive all of the pages, please telephone us at 612.336.4771, or fax us at 612.332.9081.

Title of Documents Transmitted: 1. **Petition for Extension of Time.**  
2. **Response to Office Action mailed May 1, 2003.**Applicant: Gary Scott Stevens  
Serial No.: 09/620,459  
Filed: July 20, 2000  
Group Art Unit: 3621  
Confirmation No.: 3803  
Our Ref. No.: 10731.20USC1  
Customer No.: 2355203/03/2004  
01 FC:1255  
Please charge our Deposit Account No. 13-2725 in the amount of \$950.00 to cover the required extension fee for a large entity.  
950.00 DABy: Robert A. Kalinsky  
Name: Robert A. Kalinsky  
Reg. No.: 50,471  
RAK:pll

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Patricia L. Larrimore  
Signature (Patricia L. Larrimore)November 3, 2003  
Date